

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

LAWRENCE PHILLIPS, *on behalf of  
himself and all others similarly situated*,

Plaintiff,

v.

PANERA BREAD CO., RONALD M.  
SHAICH, WILLIAM W. MORETON,  
DOMENIC COLASACCO, DIANE  
HESSAN, FRED FOULKES, LARRY  
FRANKLIN, THOMAS E. LYNCH,  
MARK STOEVEER, and JAMES  
WHITE,

Defendants.

Case No. 1:17-cv-00697-RGA

**NOTICE CONCERNING RESOLUTION  
OF PLAINTIFF'S FEE AND EXPENSE  
APPLICATION AND CLOSING CASE  
FOR ALL PURPOSES**

WHEREAS, on July 14, 2017, Plaintiff filed a Stipulation of Dismissal and Proposed Order dismissing the above-captioned action and reserving the right to submit an application for an award of attorneys' fees and expenses if the claim for fees and expenses could not be resolved through negotiations between Plaintiff and Defendants (the "Fee and Expense Application");

WHEREAS, on July 25, 2017, the Court entered an Order dismissing the complaint in the above-captioned action and retaining jurisdiction solely for consideration of any application for an award of attorneys' fees and expenses, and the case file was administratively closed;

WHEREAS, Plaintiff and Defendants have reached an agreement with respect to the Fee and Expense Application; and

WHEREAS, Plaintiff will not be submitting a Fee and Expense Application to the Court;

THE PARTIES HEREBY SUBMIT NOTICE that the above captioned action should remain irrevocably closed by the Court for all purposes.

Dated: February 7, 2018

Respectfully submitted

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